

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

TERESA BUCK

PLAINTIFF

V.

CASE NO. 06-6034

VICKIE GRIFFITH; and  
ST. JOSEPH'S MERCY HEALTH CENTER

DEFENDANTS

BRIEF IN SUPPORT OF MOTION IN LIMINE

COMES the Plaintiff, and submits this Brief:

1. Plaintiff expects Defendant to attempt to introduce evidence at trial of Plaintiff's work performance at National Park Medical Center. Plaintiff went to work at National Park Medical Center after she was fired by the Defendant. Accordingly, such evidence is not relevant, and its probative value is outweighed by its prejudice and likelihood of confusion. Therefore, pursuant to Rule 403, this evidence should be excluded. Furthermore, evidence of National Park Medical Center's productivity standards, is, for these same reasons, also likely to lead to undue prejudice and confusion. Therefore, this evidence should be excluded as well.

Respectfully Submitted,

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By:

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Luther Oneal Sutter, Ark. Bar No. 95031

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18th day of May, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing to counsel for the Defendant:

Mr. Stuart Jackson  
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